

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

Case No. 20-30663

The Roman Catholic Diocese of Syracuse,
New York,

Chapter 11

Debtor.

Judge Wendy A. Kinsella

**MONTHLY FEE STATEMENT OF BURNS BAIR LLP FOR COMPENSATION OF
SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES INCURRED AS
SPECIAL INSURANCE COUNSEL FOR THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR THE PERIOD OF
SEPTEMBER 1, 2023 THROUGH SEPTEMBER 30, 2023**

Pursuant to the Court's *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [ECF No. 117] (the "Interim Compensation Order"), Burns Bair LLP, special insurance counsel for the Official Committee of Unsecured Creditors (the "Committee"), hereby files this monthly fee statement (the "Monthly Fee Statement") seeking compensation for reasonable and necessary services rendered to the Committee from September 1, 2023 through September 30, 2023 (the "Compensation Period") in the amount of \$28,886.80 (80% of \$36,108.50), and reimbursement of actual and necessary expenses incurred during the Compensation Period in the amount of \$47.77.

Burns Bair LLP's invoice for the Compensation Period, attached hereto as **Exhibit A**, includes detailed time entries that describe the services performed by Burns Bair LLP professionals during the Compensation Period and a list of expenses Burns Bair LLP incurred during the Compensation Period in connection with providing services to the Committee.

[Signature page follows]

Date: October 31, 2023

/s/ Timothy W. Burns

Timothy W. Burns (WI State Bar #1068086)

Jesse J. Bair (WI State Bar #1083779)

10 E. Doty St., Suite 600

Madison, Wisconsin 53703-3392

Telephone: (608) 286-2808

Email: tburns@burnsbair.com

Email: jbair@burnsbair.com

*Special Insurance Counsel for the Official
Committee of Unsecured Creditors*

EXHIBIT A

Burns | Bair

10 E. Doty St., Suite 600
Madison, Wisconsin 53703-3392
608-286-2302
www.BurnsBair.com

**Official Committee of Unsecured Creditors of
the Diocese of Syracuse, New York**

Issue Date : 10/30/2023

Bill # : 01244

Matter: Insurance

PROFESSIONAL SERVICES RENDERED

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
9/1/2023	Timothy Burns	Conference with J. Bair re insurance case developments and ongoing projects (.4);	0.40	\$280.00
9/1/2023	Jesse Bair	Conference with T. Burns re insurance case developments and ongoing projects (.4);	0.40	\$250.00
9/1/2023	Jesse Bair	Review and edit supplemental draft demand letters on LMI/Interstate claims (.2); correspondence with state court counsel re same (.1);	0.30	\$187.50
9/6/2023	Jesse Bair	Participate in call with R. Kugler re finalization of motions to lift stay in order to send insurance demand letters (.3);	0.30	\$187.50
9/6/2023	Timothy Burns	Review correspondence with state court counsel and Committee professionals re motion for relief from stay (.1);	0.10	\$70.00
9/7/2023	Jesse Bair	Correspondence with L. Kugler re Arrowood Rule 2004 motion (.1);	0.10	\$62.50
9/12/2023	Timothy Burns	Review draft correspondence from J. Bair to LMI re mediation issues (.2); responded to same (.1); participate in call with J. Bair re same (.1); review correspondence with R. Kugler re same (.1); review correspondence with J. Bair and Stinson re 2004 exam of Arrowood (.2);	0.70	\$490.00
9/12/2023	Jesse Bair	Analysis re LMI exposure, excess coverage, and high-value LMI claims (.8); draft response to LMI's mediation correspondence re Committee and LMI offers (.7);	1.50	\$937.50
9/12/2023	Jesse Bair	Participate in call with E. Caldie and R. Kugler re case insurance strategy, including consent to settle summary judgment motion (.1);	0.10	\$62.50
9/12/2023	Jesse Bair	Prepare for Committee meeting (.1); participate in Committee meeting re Plan issues for insurance purposes (.9);	1.00	\$625.00

9/12/2023	Jesse Bair	Participate in call with T. Burns re consent to settle summary judgment motion and LMI mediation correspondence (.1);	0.10	\$62.50
9/12/2023	Jesse Bair	Correspondence with R. Kugler re Arrowood 2004 motion extension request (.1);	0.10	\$62.50
9/13/2023	Jesse Bair	Analysis re insurance case strategy and next-steps (.1);	0.10	\$62.50
9/13/2023	Jesse Bair	Correspondence with R. Kugler re draft Plan (.1);	0.10	\$62.50
9/14/2023	Brian Cawley	Correspond with J. Bair regarding the Committee's draft joinder in support of the lift stay motions (.2); begin drafting the Committee's joinder in support of the motion to lift stay in order to send insurance demands (.6);	0.80	\$336.00
9/14/2023	Timothy Burns	Consideration concerning and email to J. Bair re ongoing case projects (.1); participate in weekly conference with Stinson team re case insurance strategy, status, and next-steps (.5); review BB correspondence re motion for relief joinder briefing (.1);	0.70	\$490.00
9/14/2023	Jesse Bair	Review and edit draft Plan for insurance purposes (2.7);	2.70	\$1,687.50
9/14/2023	Jesse Bair	Participate in weekly conference with Stinson team re case insurance strategy, status, and next-steps (.5);	0.50	\$312.50
9/14/2023	Jesse Bair	Provide instructions to B. Cawley re drafting the Committee's joinder to the motion to lift stay (.1);	0.10	\$62.50
9/14/2023	Jesse Bair	Respond to correspondence from state court counsel re the lift stay motions (.1);	0.10	\$62.50
9/15/2023	Brian Cawley	Continue drafting the Committee's joinder in support of state court counsel's motion to lift the stay in order to send insurance demands (3.8);	3.80	\$1,596.00
9/15/2023	Jesse Bair	Listen to voice-message and call Utica re insurance demands and prior Utica settlement (.1); correspondence with the mediator and state court counsel re same (.1);	0.20	\$125.00
9/15/2023	Jesse Bair	Correspondence with B. Cawley re the Committee's joinder re the state court counsel's motion to lift stay to send insurance demands (.1);	0.10	\$62.50
9/18/2023	Jesse Bair	Participate in conference with T. Burns re case status and insurance action items (.1);	0.10	\$62.50
9/18/2023	Jesse Bair	Review and edit the Committee's joinder to state court counsel's motions for relief from stay to send insurance demand letters (.7); correspondence with Stinson team re same (.1);	0.80	\$500.00
9/18/2023	Jesse Bair	Conference with the mediator re potential TNCRRG settlement (.1); correspondence with Stinson team re same (.1);	0.20	\$125.00
9/18/2023	Karen Dempksi	Draft pro hac vice documents for T. Burns and J. Bair (.3);	0.30	\$108.00

9/18/2023	Timothy Burns	Review and respond to correspondence with Stinson re Plan drafting issues (.2); conference with J. Bair re ongoing projects and case insurance strategy (.1); review and revise pro hac vice papers (.2); review the Committee's draft lift stay joinder motion (.2); review correspondence re potential TNCRRG settlement (.2);	0.90	\$630.00
9/19/2023	Jesse Bair	Conference with the mediator re potential TNCRRG settlement (.1); correspondence with R. Kugler re same (.1);	0.20	\$125.00
9/19/2023	Jesse Bair	Review E. Caldie correspondence re current version of draft Plan (.1);	0.10	\$62.50
9/19/2023	Jesse Bair	Correspondence with Utica re settlement status issues (.1);	0.10	\$62.50
9/20/2023	Timothy Burns	Reviewed correspondence with Stinson and TNCRRG re potential settlement (.1); review correspondence with Stinson and the Committee re same (.2); review correspondence with Stinson and the Committee re meeting with Diocese re child protection protocols (.1);	0.40	\$280.00
9/20/2023	Jesse Bair	Participate in call with the mediator re potential TNCRRG settlement (.1); correspondence with R. Kugler and Committee re same (.1);	0.20	\$125.00
9/20/2023	Jesse Bair	Listen to voice-message from R. Kugler re Committee joinder to lift stay motion (.1);	0.10	\$62.50
9/21/2023	Jesse Bair	Review Travelers' motion to lift stay opposition (.2);	0.20	\$125.00
9/21/2023	Jesse Bair	Participate in call with R. Kugler, E. Caldie, and T. Burns re response to Travelers' objections to the motions to lift stay (.4); participate in post-call with T. Burns re follow-up assignments (.1);	0.50	\$312.50
9/21/2023	Jesse Bair	Brief review of the Diocese's response to the lift stay motions (.1);	0.10	\$62.50
9/21/2023	Jesse Bair	Correspondence with K. Jonch-Clausen and N. Kuenzi re lift stay motion assignment (.1);	0.10	\$62.50
9/21/2023	Timothy Burns	Review correspondence from the mediator re potential TNCRRG settlement (.1); participate in call with R. Kugler, E. Caldie, and J. Bair re response to Travelers' opposition to the motion to lift stay (.4); participate in post-call with J. Bair re assignments (.1);	0.60	\$420.00
9/21/2023	Jesse Bair	Review correspondence with state court counsel, the Committee, and Stinson re the TNCRRG settlement (.1);	0.10	\$62.50
9/22/2023	Timothy Burns	Review briefing and outline reply argument re motion for relief (4.8); participate in call with Stinson re same (.3); participate in call with J. Bair re motion for relief from stay reply and ongoing insurance projects (.3);	5.40	\$3,780.00
9/22/2023	Karin Jonch-Clausen	Research caselaw to support the Committee's motion to lift stay reply brief (4.8);	4.80	\$2,016.00

9/22/2023	Karen Dempksi	Finalize draft pro hac vice applications for T. Burns and J. Bair (.2); email J. Rehbein re filing with court (.1);	0.30	\$108.00
9/22/2023	Nathan Kuenzi	Analyze motions for relief from stay oppositions filed by LMI and Interstate and review T. Burns comments re same (1.3);	1.30	\$546.00
9/22/2023	Nathan Kuenzi	Begin drafting the Committee's motion to lift stay reply brief (1.0);	1.00	\$420.00
9/22/2023	Jesse Bair	Participate in weekly strategy call with Stinson team re case insurance strategy, status, and next-steps (.3);	0.30	\$187.50
9/22/2023	Jesse Bair	Review and edit pro hac vice application materials (.1);	0.10	\$62.50
9/22/2023	Jesse Bair	Correspondence with state court counsel re lift stay reply brief (.1);	0.10	\$62.50
9/23/2023	Karin Jonch-Clausen	Edit and revise the Committee's motion to lift stay reply brief (1.5);	1.50	\$630.00
9/23/2023	Nathan Kuenzi	Continue drafting the Committee's motion to lift stay reply brief (4.5);	4.50	\$1,890.00
9/23/2023	Nathan Kuenzi	Analyze case law relevant to the Committee's motion to lift stay reply brief (2.3);	2.30	\$966.00
9/23/2023	Karin Jonch-Clausen	Research additional case law in support of the Committee's motion to lift stay reply brief (.5);	0.50	\$210.00
9/23/2023	Timothy Burns	Review correspondence with state court counsel re lift stay reply brief (.1);	0.10	\$70.00
9/24/2023	Timothy Burns	Review and revise current draft of the Committee's lift stay reply brief (1.6);	1.60	\$1,120.00
9/24/2023	Nathan Kuenzi	Draft revised version of the Committee's motion to lift stay reply brief, incorporating T. Burns' suggested edits (2.2);	2.20	\$924.00
9/24/2023	Nathan Kuenzi	Continue researching and analyzing case law relevant to the Committee's lift stay reply brief (2.5);	2.50	\$1,050.00
9/24/2023	Karin Jonch-Clausen	Edit and revise most recent version of the Committee's lift stay reply brief (1.5);	1.50	\$630.00
9/24/2023	Jesse Bair	Review current draft of reply in support of motion to lift stay (.3); review Stinson suggested edits to same (.1);	0.40	\$250.00
9/25/2023	Jesse Bair	Review and edit current version of reply brief in support of lift stay motions (.2); correspondence with state court counsel re same (.1); review and incorporate additional edits received from Stinson re same (.2);	0.50	\$312.50
9/25/2023	Jesse Bair	Participate in call with state court counsel re additional potential edits to the lift stay reply brief (.3); incorporate suggested edits into reply (.2); correspondence with state court counsel re revised version of lift stay reply brief (.1);	0.60	\$375.00
9/25/2023	Jesse Bair	Correspondence with R. Kugler re lift stay oral argument (.1);	0.10	\$62.50

9/25/2023	Nathan Kuenzi	Research, analyze, and identify key materials for T. Burns for motion for relief from stay hearing preparations (.3);	3.30	\$1,386.00
9/25/2023	Karin Jonch-Clausen	Research appealability of denials of relief from stay motions (.8); correspondence with T. Burns re same (.2);	1.00	\$420.00
9/26/2023	Timothy Burns	Participate in call with R. Kugler re insurance strategy, including motion to lift stay issues (.3);	0.30	\$210.00
9/27/2023	Timothy Burns	Participate in calls with R. Kugler and state court counsel re hearing preparation for lift stay motions (.4);	0.40	\$280.00
9/28/2023	Timothy Burns	Prepare for hearing on motion for relief from stay (3.5); participate in hearing on motion for relief from stay (1.8); participate in post-hearing call with R. Kugler and J. Bair re same and next-steps re case insurance strategy (.4);	5.70	\$3,990.00
9/28/2023	Jesse Bair	Review L. Kugler correspondence re upcoming LMI/Interstate mediation (.1);	0.10	\$62.50
9/28/2023	Jesse Bair	Prepare for motion for relief from stay hearing (.3);	0.30	\$187.50
9/28/2023	Jesse Bair	Correspondence with R. Kugler re Arrowood Rule 2004 issues (.1);	0.10	\$62.50
9/28/2023	Jesse Bair	Participate in motion for relief from stay hearing (1.8); participate in post-hearing call with R. Kugler and T. Burns re same and next-steps re case insurance strategy (.4);	2.20	\$1,375.00
9/28/2023	Jesse Bair	Participate in call with state court counsel and T. Burns re outcome of motion for relief from stay and related insurance issues (.2);	0.20	\$125.00
9/28/2023	Timothy Burns	Participate in call with state court counsel and J. Bair re outcome of motion for relief from stay and related insurance issues (.2);	0.20	\$140.00
9/29/2023	Jesse Bair	Review draft 2004 motion to Interstate re Interstate's inappropriate disclosure of survivor information (.2); review correspondence with Stinson team and the Committee re same (.1);	0.30	\$187.50
9/29/2023	Jesse Bair	Review correspondence with Arrowood and R. Kugler re resolution of the Committee Rule 2004 motion against Arrowood (.1);	0.10	\$62.50
9/30/2023	Timothy Burns	Research and analysis re insurance neutrality issues re Plan drafting (.8);	0.80	\$560.00
9/30/2023	Jesse Bair	Review order granting the Committee's motion to shorten time re the Committee's Interstate 2004 motion (.1);	0.10	\$62.50
Total Hours and Fees			66.00	\$36,108.50

EXPENSES

<u>Date</u>	<u>Description</u>	<u>Amount</u>
9/15/2023	Wisconsin Certificates of Good Standing for T. Burns and J. Bair re pro hac vice application	\$6.09

9/26/2023 Main Document Page 8 of 9
FedEx, pkg. to Saunders Kahler (pro hac vice) \$41.68

Total Expenses **\$47.77**

Timekeeper Summary

<u>Name</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Brian Cawley	Associate	4.60	\$420.00	\$1,932.00
Jesse Bair	Partner	16.10	\$625.00	\$10,062.50
Karen Dempski	Paralegal	0.60	\$360.00	\$216.00
Karin Jonch-Clausen	Associate	9.30	\$420.00	\$3,906.00
Nathan Kuenzi	Associate	17.10	\$420.00	\$7,182.00
Timothy Burns	Partner	18.30	\$700.00	\$12,810.00

Total Due This Invoice: \$36,156.27

CERTIFICATE OF SERVICE

I, Jess Rehbein, hereby certify that on October 31, 2023, I caused a true and correct copy of the foregoing to be filed with the Clerk of Court using CM/ECF and that service was emailed to the following parties:

- a. The Roman Catholic Diocese of Syracuse, New York, 240 East Onondaga Street,
Syracuse, New York 13202
- b. Bond, Schoeneck & King, PLLC, One Lincoln Center, Syracuse, New York 13202,
Attn: Stephen A. Donato
- c. Office of the United States Trustee, 10 Broad Street, Room 105, Utica, New York
13501, Attn: Erin P. Champion

Date: October 31, 2023

/s/ Jess Rehbein